UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NANCY MINIX ENTERPRISES, LLC, et al.,

      Plaintiffs,

v.   Case No. 10-CV-14499-DT

INTERNAL REVENUE SERVICE, et al.,

      Defendant.

                                        /

ORDER OF DISMISSAL

On September 27, 2011, the court conducted a telephone conference in the above-captioned matter. During the conference, counsel for all parties anticipated that a settlement to this matter would soon be reached. The court therefore adjourned the telephone conference for September 30, 2011, with instructions that if a settlement was reached the conference would be canceled and the case would be taken off the court's active docket. The court's staff received notification on September 29, 2011, that the issues in this case have been amicably resolved, with only a few remaining terms to be finalized and memorialized in documents. It thus appears that further court involvement is, at this point, unnecessary. Accordingly,

IT IS ORDERED that this matter is DISMISSED WITHOUT PREJUDICE.

Nothing in this order shall be deemed to adversely affect or in any way impact the parties' rights. Any party may reopen this case by **December 30, 2011**, by filing a "Notice of Reopening." If such a notice is filed, the case will immediately be placed back on the court's active docket, with no further costs or fees to either party and the litigation will proceed as if the case had not been dismissed. Further, the parties may

2

also submit their own substitute stipulated order of dismissal or judgment by **December 30, 2011**.

After **December 30, 2011**, in the absence of any further order of the court or filing by the parties, this dismissal will be with prejudice.

 S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 30, 2011, by electronic and/or ordinary mail.

 S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

S:\Cleland\JUDGE'S DESK\C3 ORDERS\10-14499.MINIX.ConditionalDismissal.wpd